

REMARKS

Claims 5, 6, 8, 9, 28, 29, 30, and 31 are pending. Claims 1-6, 8-11, and 24-32 were appealed. Claims 1-4, 10-11, 24-27, and 32 have been canceled in accordance with MPEP § 1214.06. Claims 5, 8, and 28 are being amended. An amendment for claim 31 is being proposed. New claims 33-40 are being proposed to be entered. No new matter is being added.

Claims 5, 6, 8, 9, 28, 29, 30, and 31 stand objected to as incomplete because the claims on which they depend from have been cancelled by the Examiner in accordance with MPEP § 1214.06. Accordingly, Applicants have rewritten the claims 5, 8, and 28 in independent form to overcome this rejection.

In addition, an amendment is being proposed to pending claim 31 to correct the informality of claim 31 ending in a “,”. This amendment places the case in condition for allowance and therefore, Applicants respectfully request that it be entered. See MPEP § 1214.07.

In addition, new claims 33-40 have been proposed. These claims are dependent claims that were brought up on appeal and depended from the independent claims that claims 5, 8, and 28 depended from. These dependent claims were canceled by Examiner's amendment in accordance with MPEP § 1214.06.

For example, new claims 33-35 are dependent claims 2-4, respectively, which depended from independent claim 1. New claims 36 and 37 are dependent claims 10-11, respectively, which depended from independent claim 1. New claims 33-37 are being proposed to depend from amended claim 8. Claim 8 was amended to incorporate the limitations of claim 1, the claim from which it depended.

New claims 38-40 are dependent claims 25-27, respectively, which depended from claim 24. New claims 38-40 are being proposed to depend from amended claim 28. Claim 28 was amended to incorporate the limitations of claim 24, the claim from which it depended.

Applicants respectfully request the entrance of new claims 33-40 in that the amendment places the case in condition for allowance. Because these dependent claims were on appeal, because these dependent claims depended upon independent claims that amended claims 8 and 28 were amended to incorporate limitations thereof, and because amended claims 8 and 28 are allowable, the new claims do not "raise new issues which require further consideration or search." See MPEP § 1214.07. Accordingly, Applicants respectfully request that these new claims be entered.

In addition, Applicants are concurrently filing an IDS under 37 C.F.R. §1.97(d) to cite two references and an office action that includes a search report from a foreign patent office. One of the references was cited in the office action. The other reference was recently provided to Applicants.

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 502117, Motorola, Inc..

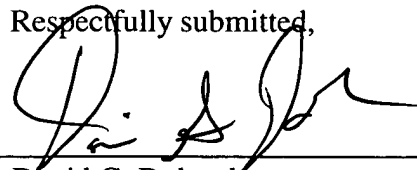
SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 23125

Respectfully submitted,

By: _____


David G. Dolezal
Attorney of Record
Reg. No.: 41,711

Telephone: (512) 996-6839
Fax No.: (512) 996-6854